IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

(1) CIVIL WRIT No. 1360 of 1997

SHANKER LAL DAGA & ORS
V/S
STATE & ORS

(2)CIVIL WRIT No. 4080 of 1989

CHANDA BAI
V/S
STATE

Mr. R.S.DEO RAJPUROHIT for Mr. SD RAJPUROHIT, for the appellant / petitioner

Mr. R.P.S. CHOUDHARY AAG, for the respondent

Date of Order : 8.1.2007

HON'BLE SHRI N P GUPTA,J.

ORDER

Heard learned counsel for the parties.

These writ petitions can be disposed of on the small ground of repeal of the Urban Land (Ceiling and Regulation) Act, 1976 by the Urban Land (Ceiling and Regulation) Repeal Ordinance, 1999, and as adopted by the State of Rajasthan vide Gazette Notification dt. 11.10.1999. As is clear from the report of the learned District Judge dt. 24.10.2005 which was forwarded in pursuance of the communication of this Court dt. 22.10.2005 that the land except the land covered by the order dt. 6.3.1990 is in possession of the petitioner.

In that view of the matter, the entire proceedings under the Act abate. The consequence of the abatement is that the orders impugned go.

The question then is about the land of which possession was taken pursuant to the interim order of this Court, suffice it to say that rights of the parties have been safeguarded in the order dt. 6.3.1990, and are governed accordingly, and the petitioner is entitled to the benefits of the order dt. 6.3.1990. These writ petitions are accordingly disposed of.

(N P GUPTA),J.

/Sushil/